

REMARKS

This Amendment with Request for Continued Examination is filed in response to a Final Office Action of April 9 2009 in which claims 1-4, 6-25 were rejected.

Claims 1 is amended and claims 2-25 are cancelled and new claims 26-42 are drafted, as submitted herein, to clarify the subject matter of claimed embodiments and in part to obviate the rejections of the Final Office Action of April 9 2009, wherein all amendments are fully supported by the specification and to a great extent by the subject matter recited in cancelled claims 2-25.

The applicant would like to point out that arguments presented in Remarks of the Amendments submitted to the USPTO on January 21 2009 are fully applied.

Claim Rejections - 35 USC § 101

Examiner's Position:

Claims 19-25 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Applicant's Response:

Even though the applicant disagrees with the rejection, claims 19-25 are cancelled to speed up the prosecution.

Claim Rejections - 35 USC § 112

Examiner's Position:

Claims 10 and 19 are rejected under 35 U.S.C. 112, second paragraph, for being indefinite: network standard IEEE 802.11, IEEE 802.15 and IEEE 802.16 do not indicate which year of the standard refers to.

Applicant's Response:

The applicant is of opinion that it is not critical for the purpose of the present patent application to indicate exact date of issue of a particular version of the document referred to. In other words, for the purpose of implementing the embodiments of the present patent application, the incremental changes from issue to issue of a particular document would not make any difference. This means that a person skilled in the art will probably refer to a latest version.

Moreover, the applicant would like to point out that in most US patents quoting short-range wireless protocols IEEE 802.11, IEEE 802.15 and IEEE 802.16, the date and/or issue is not indicated. For example, in the current rejection of April 9 2009, the Examiner referenced US patent 7,382,756 by Barber et al. wherein the IEEE 802.11 standard is used in the ABSTRACT and in claim 9 without indicating the issue date. Nevertheless, the applicant chose not to use the IEEE 802.11, IEEE 802.15 and IEEE 802.16 standards in the claims, but instead used the a generic term short-range wireless protocol widely accepted among persons skilled in the art.

Claim Rejections - 35 USC § 103

Examiner's Position:

Claims 1-4, 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaisanen et al. (U.S. Patent No. 6560443) in view of Barber et al. (US 7382756).

Claims 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaisanen et al. (U.S. Patent No. 6560443) and Bahl et al. (US 7248570) in view of Barber et al. (US 7382756).

Claims 19-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Croobie (U.S. Patent No. 20020085719) in view of Barber et al. (US 7382756).

Applicant's Response:

The applicant is of opinion that Examiner's arguments are inaccurate, however, since claims 2-25 are cancelled, as submitted herein, the applicant does not see a need (unless specifically requested by the Office) to present arguments to rebut the Examiner's rejection regarding cancelled claims on the merits.


The applicant would like to emphasize that arguments presented in Remarks of the Amendments submitted to the USPTO on January 21, 2009 are fully applied in reference to a selected subject matter contained in newly drafted claims but previously rejected by the Office.

CONCLUSION

The objections and rejections of the Final Office Action of April 9, 2009 having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of all claims to issue is earnestly solicited.

Respectfully submitted,
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